

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* STW Properties LLC
PO Box 210
West Glacier, MT 59936-0210
2. *Type of action:* Permit to Appropriate Water 76I-30045136
3. *Water source name:* Groundwater Pit
4. *Location affected by project:* NE¹/₄ NW¹/₄, Section 2, Township 31N, Range 19W,
Flathead County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*

This application is to obtain a water use permit for two fish ponds located in the Glacier National Park Compact Area in the above-described location. The applicant proposes to divert water by means of a pit in the amount of up to 2.67 acre-feet per year. The proposed use is for a fish and wildlife from January 1 to December 31 inclusive of each year.

6. *Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)*

The National Park Service..... Water Rights Branch
Montana Natural Resource Program Species of Concern
US Fish and Wildlife Service Wetlands Mapper
Montana Historical Society Cultural Resource File Search

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

Determination: Not applicable, the source is groundwater.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: Not applicable, the source is groundwater.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

The proposed project will derive water by means of two pits that are a total of 0.3 surface acres and have a maximum depth of 12 feet. There should not be an impact to groundwater quality or quantity according to the information provided.

Determination: No impact

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

The proposed project will derive water by means of two pits that are a total of 0.3 surface acres and have a maximum depth of 12 feet.

Determination: No impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

The Montana Natural Heritage Program website was referenced to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern" in vicinity of Township 31N and Range 19W, that could be impacted by the proposed

project. The US Fish and Wildlife Service identified the endangered Gray Wolf (*Canis lupus*) and the threatened Canada Lynx (*Lynx canadensis*), and Grizzly Bear (*Ursus arctos*). In addition the State of Montana, US Forest Service, and Bureau of Land Management identified the following species of special concern: Wolverine (*Gulo gulo*); Fisher (*Martes pennanti*); Bobolink (*Dolichonyx oryzivorus*); Common Loon (*Gavia immer*); Bald Eagle (*Haliaeetus leucocephalus*); Harlequin Duck (*Histrionicus histrionicus*); Western Toad (*Bufo boreas*); Northern Leopard Frog (*Rana pipiens*); Brush-tipped Emerald (*Somatochlora walshii*); Maidenhair Spleenwort (*Asplenium trichomanes*); Deer Indian Paintbrush (*Castilleja cervina*); Short-styled Thistle (*Cirsium brevistylum*); Latah Tule Pea (*Lathyrus bijugatus*); Velvetleaf Blueberry (*Vaccinium myrtilloides*); *Aloina brevirostris*; *Amblyodon dealbatus* and *Bryum calobryoides*.

Determination: This is a groundwater pit and will not impact near-by rivers and streams; therefore these riverine species are not included. This proposed project, due to its limited size, is not expected to impact the endangered Gray Wolf, or the threatened Canada Lynx and Grizzly Bear. It is unclear whether species listed by agencies other than the US Fish and Wildlife Service will be impacted as a result of this project. These ponds appear to already exist based on aerial photographs, so it is unlikely this water right will cause significant impact.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: The National Wetlands Inventory identifies this project site as existing freshwater ponds.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

This water right involves two small ponds that are a total 0.3 surface acres and 12 feet deep having a total capacity of 1.8 ac-ft. It is not expected that a project of this scope will have significant negative wildlife consequences.

Determination: No impact.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: No impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

Determination: The land use will not change as evidenced by aerial photographs; no impact is anticipated.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: No impact.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

There is one previously recorded historic site within Section 2, Township 31N, and Range 19W. This site (24FH136) is a historic trash dump.

Determination: The Montana Historical Society feels that based on previous disturbance of this area there is a low likelihood this undertaking will impact cultural properties in the proposed project area.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: None

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: The project is consistent with planned land use.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: This diversion is on private property. It will not impact recreation or effect wilderness activities.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: No impact.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No X___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No
- (b) Local and state tax base and tax revenues? No
- (c) Existing land uses? No
- (d) Quantity and distribution of employment? No
- (e) Distribution and density of population and housing? No
- (f) Demands for government services? No
- (g) Industrial and commercial activity? No
- (h) Utilities? No
- (i) Transportation? No
- (j) Safety? No
- (k) Other appropriate social and economic circumstances? No

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts: None

Cumulative Impacts: None

3. Describe any mitigation/stipulation measures: None

4. Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:

PART III. Conclusion

1. Preferred Alternative: As proposed

2. Comments and Responses: None

3. Finding:

Yes ___ No **X** Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant impacts have been identified; therefore, no EIS is necessary.

Name of person(s) responsible for preparation of EA:

Name: Tim Eichner

Title: Water Resources Specialist

Date: March 17, 2009